

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF WEST VIRGINIA**

**PRINCEWELL EZEBUIHE,**

**Plaintiff,**

**v.**

**Civil Action No. 5:07cv75  
(Judge Stamp)**

**UNITED STATES DEPARTMENT OF JUSTICE/  
FEDERAL BUREAU OF PRISONS;  
CHRISTI CUTRIGHT, UNICOR Factory Manager;  
ANTHONY CONRAD, Assistant Factory Manager;  
P. FAZENBAKER; Production Supervisor;**

**Defendants.**

**ORDER REGARDING MOTION FOR LEAVE TO PROCEED  
IN FORMA PAUPERIS**

On June 7, 2007, the *pro se* plaintiff, a federal inmate, initiated this case by filing a civil rights action and Federal Tort Claims Act against the above-named defendants. As well, the plaintiff filed a Motion for Leave to Proceed in forma pauperis and an Affidavit of Poverty. On June 7, 2007, the plaintiff was sent a Notice of Deficient Pleading advising him that he must submit a Consent to Collection of Fees from Trust Account and a Prisoner Trust Account Report. Instead of completing those forms, the plaintiff paid the \$350.00 filing fee on July 9, 2007. Therefore, the plaintiff's Motion to Proceed in forma pauperis is still pending.<sup>1</sup>

The plaintiff shall have twenty days from entry of this Order to supply the information necessary for this court to make a ruling on said Motion. To aid the plaintiff, the Clerk is directed to

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<sup>1</sup>Although payments would have been made in installments though his prisoner trust account, the plaintiff would still have been required to pay the \$350.00 if his IFP motion was granted. However, unless the plaintiff is granted IFP status, he will not be entitled to court ordered service of process by the United States Marshall, if after initial screening, his complaint is ordered served on the defendants.

send the plaintiff another Prisoner Trust Account Report.<sup>2</sup> The plaintiff is advised that failure to return the completed Prisoner Trust Account Report, with supporting ledger sheets, within the designated time period, will result in a recommendation that his Motion for Leave to Proceed in forma pauperis be denied.

IT IS SO ORDERED.

The Clerk is directed to provide a copy of this Order to the *pro se* petitioner.

DATED: July 19, 2007

/s/ James E. Seibert  
JAMES E. SEIBERT  
UNITED STATES MAGISTRATE JUDGE

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<sup>2</sup>Because the plaintiff has paid the \$350.00 filing fee in lump sum, the court no longer needs a Consent to Collection of Fees from Trust Account Report.